

JOURNAL OF THE HOUSE

EIGHTY-EIGHTH SESSION

TWELFTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Friday, January 25, 2013

The House convened at 1:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor Susan Carr, followed by the Pledge of Allegiance led by House page Landon Fanning.

Roll Call: All members present.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the eleventh day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Brian G. Gosch, Chair

Which motion prevailed.

RECOGNITION

The House of Representatives recognized Zachary Merrill who served the 2013 legislature as a computer intern.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on State Affairs respectfully reports that it has had under consideration HB 1115 and returns the same with the recommendation that said bill do pass.

Also MR. SPEAKER:

The Committee on State Affairs respectfully reports that it has had under consideration HB 1116 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Also MR. SPEAKER:

The Committee on State Affairs respectfully reports that it has had under consideration HB 1030 and returns the same with the recommendation that said bill be amended as follows:

1030oa

On page 1, between lines 10 and 11 of the printed bill, insert:

"

Section 2. It is in the public interest that the South Dakota Building Authority contract for the construction of repairs and improvements at Cedar Shores Lakeside Use Area including engineering and bonding services, site preparation, and construction of improvements. The Building Authority may finance this project, including the issuance of revenue bonds not to exceed three million dollars (\$3,000,000), in accordance with this Act and chapter 5-12."

On page 2, line 1, delete "section 1" and insert "sections 1 and 2".

On page 2, line 1, delete "the section" and insert "these sections".

1030ob

On page 1, line 13, of the printed bill, delete "meaing" and insert "meaning".

1 1030ota

2 On page 1 of the printed bill, delete line 2, and insert "the construction of improvements
3 in the state park system".

4 And that as so amended said bill do pass.

5 Also MR. SPEAKER:

6 The Committee on State Affairs respectfully reports that it has had under consideration
7 HB 1113 and returns the same with the recommendation that said bill be amended as follows:

8 1113fa

9 On page 2, line 21, of the printed bill, after "." Insert "However, the scheduling of
10 meetings and similar communications do not constitute official business.".

11 1113oa

12 On page 1, line 10, of the printed bill, overstrike "association,".

13 And that as so amended said bill do pass.

14 Also MR. SPEAKER:

15 The Committee on State Affairs respectfully reports that it has had under consideration
16 HB 1114 which was deferred to the 41st Legislative Day.

17 Respectfully submitted,
18 David Lust, Chair

19 Also MR. SPEAKER:

20 The Committee on Commerce and Energy respectfully reports that it has had under
21 consideration HB 1126 and returns the same with the recommendation that said bill do pass.

22 Also MR. SPEAKER:

23 The Committee on Commerce and Energy respectfully reports that it has had under
24 consideration HB 1125 and 1127 and returns the same with the recommendation that said bills
25 do pass and be placed on the consent calendar.

26 Respectfully submitted,
27 Roger D. Solum, Chair

1 Also MR. SPEAKER:

2 The Committee on Education respectfully reports that it has had under consideration
3 HB 1098 and returns the same with the recommendation that said bill do pass and be placed on
4 the consent calendar.

5 Also MR. SPEAKER:

6 The Committee on Education respectfully reports that it has had under consideration
7 HB 1087 and returns the same with the recommendation that said bill be amended as follows:

8 1087cc

9 On page 1, line 8, of the printed bill, delete everything after "attack" and insert ". Those so
10 authorized shall be referred to as school sentinels." .

11 On page 1, delete line 9.

12 On page 1, line 11, delete everything after "," and insert "or effect any material changes in
13 the personnel or protocols of the school sentinel program, the school board shall obtain the
14 approval of the county sheriff who has jurisdiction over the school premises." .

15 On page 1, line 12, delete everything before "Any" .

16 On page 1, line 13, delete everything after "to" and insert "all law enforcement agencies
17 with jurisdiction over the school premises forthwith." .

18 On page 2, delete line 1, and insert:

19 " Section 3. Any person who acts as a school sentinel, pursuant to section 1 of this Act, shall
20 first successfully complete a school sentinel training course as defined by the Law Enforcement
21 Officers Standards Commission pursuant to subdivision 23-3-35(16)." .

22 On page 2, after line 11, insert:

23 " Section 6. That § 23-3-35 be amended to read as follows:

24 23-3-35. In addition to powers conferred upon the Law Enforcement Officers Standards
25 Commission elsewhere in this chapter, the commission may:

26 (1) Promulgate rules for the administration of §§ 23-3-26 to 23-3-47, inclusive, including
27 the authority to require the submission of reports and information by law enforcement
28 agencies within this state;

29 (2) Establish minimum educational and training standards for admission to employment
30 as a law enforcement officer:

- 1 (a) In permanent positions; and
- 2 (b) In temporary or probationary status;
- 3 (3) Certify persons as being qualified under the provisions of §§ 23-3-26 to 23-3-47,
4 inclusive, to be law enforcement officers, and by rule to establish criteria and
5 procedure for the revocation or suspension of the certification of officers who have
6 been convicted of a felony or misdemeanor involving moral turpitude, have
7 intentionally falsified any application or document to achieve certification, or have
8 been discharged from employment for cause, or have engaged in conduct
9 unbecoming of a law enforcement officer;
- 10 (4) Establish minimum curriculum requirements for preparatory, in-service, and
11 advanced courses and programs for schools operated by or for the state or any
12 political subdivisions of the state for the specific purpose of training recruits or other
13 law enforcement officers;
- 14 (5) Consult and cooperate with counties, municipalities, agencies of this state, other
15 governmental agencies, and with universities, colleges, junior colleges, and other
16 institutions concerning the development of law enforcement training schools and
17 programs or courses of instruction;
- 18 (6) Approve institutions and facilities for school operation by or for the state or any
19 political subdivision of the state for the specific purpose of training law enforcement
20 officers and recruits;
- 21 (7) Make or encourage studies of any aspect of police administration;
- 22 (8) Conduct and stimulate research by public and private agencies which is designed to
23 improve police administration and law enforcement;
- 24 (9) Make recommendations concerning any matter within its purview pursuant to
25 §§ 23-3-26 to 23-3-47, inclusive;
- 26 (10) Make such evaluations as may be necessary to determine if governmental units are
27 complying with the provisions of §§ 23-3-26 to 23-3-47, inclusive;
- 28 (11) Adopt and amend bylaws, consistent with law, for its internal management and
29 control;
- 30 (12) Enter into contracts or do such things as may be necessary and incidental to the
31 administration of its authority pursuant to §§ 23-3-26 to 23-3-47, inclusive;
- 32 (13) License and regulate the activities of private or law enforcement polygraph and
33 computer voice stress analyzer examiners;
- 34 (14) Certify canine teams; and

1 (15) Establish minimum educational and training standards for newly selected county
2 coroners and advanced training standards for ~~incumbant~~ incumbent county coroners;

3 (16) Establish minimum educational and training standards for school sentinels authorized
4 in section 1 of this Act.

5 Section 7. That § 13-32-7 be amended to read as follows:

6 13-32-7. Any person, other than a law enforcement officer or school sentinel acting pursuant
7 to section 1 of this Act, who intentionally carries, has in his possession, stores, keeps, leaves,
8 places, or puts into the possession of another person, any firearm, or air gun, whether or not the
9 firearm or air gun is designed, adapted, used, or intended primarily for imitative or noisemaking
10 purposes, or any dangerous weapon, on or in any elementary or secondary school premises,
11 vehicle, or building or any premises, vehicle, or building used or leased for elementary or
12 secondary school functions, whether or not any person is endangered by such actions, is guilty
13 of a Class 1 misdemeanor. This section does not apply to starting guns while in use at athletic
14 events, firearms, or air guns at firing ranges, gun shows, and supervised schools or sessions for
15 training in the use of firearms. This section does not apply to the ceremonial presence of
16 unloaded weapons at color guard ceremonies.

17 Section 8. Any discussion conducted by a school board regarding a school sentinel program
18 created pursuant to this Act shall be conducted in an executive or closed meeting held in
19 accordance with § 1-25-2 from which no printed materials or record may be made available to
20 the public.".

21 1087cta

22 On page 1, line 1, of the printed bill, delete everything after "An Act to" and insert "provide
23 for the creation of school sentinel programs and for the training of school sentinels.".

24 On page 1, delete line 2.

25 And that as so amended said bill do pass.

26 Respectfully submitted,
27 Jacqueline Sly, Chair

28 Also MR. SPEAKER:

29 The Committee on Judiciary respectfully reports that it has had under consideration
30 HB 1097 and returns the same with the recommendation that said bill do pass.

1 Also MR. SPEAKER:

2 The Committee on Judiciary respectfully reports that it has had under consideration
3 HB 1073 and returns the same with the recommendation that said bill be amended as follows:

4 1073ja

5 On page 5, line 9, of the printed bill, after "." insert "Notwithstanding any order pursuant
6 to this section, the administration of any psychotropic medication shall comply with the
7 procedures set forth in chapter 27A-15."

8 And that as so amended said bill do pass.

9 Also MR. SPEAKER:

10 The Committee on Judiciary respectfully reports that it has had under consideration
11 HB 1096 and returns the same with the recommendation that said bill be amended as follows:

12 1096ja

13 On page 2, line 1, of the printed bill, delete "kin" and insert "in".

14 On page 2, delete lines 5 and 6.

15 On page 3, line 2, delete "11" and insert "10".

16 On page 3, line 10, delete "country" and insert "county".

17 On page 3, line 15, delete "10 to 12" and insert "9 to 11".

18 On page 3, line 15, delete "enter" and insert "inter".

19 On page 5, line 10, delete "is" and insert "it".

20 On page 6, line 19, delete "21" and insert "20".

21 On page 8, line 11, delete "int he" and insert "in the".

22 On page 11, line 9, delete "int he" and insert "in the".

23 1096ta

24 On page 3, line 14, of the printed bill, after "." insert "Such an act includes burning, tearing,
25 canceling, obliterating, or destroying the deed or any part of the deed."

26 And that as so amended said bill do pass.

1 Also MR. SPEAKER:

2 The Committee on Judiciary respectfully reports that it has had under consideration
3 HB 1106 and returns the same with the recommendation that said bill be amended as follows:

4 1106jb

5 On page 2, line 23, of the printed bill, delete "eneity" and insert "entity".

6 1106jc

7 On page 4, line 11, of the printed bill, after "record" insert "by any means including an
8 electronic signature".

9 And that as so amended said bill do pass.

10 Also MR. SPEAKER:

11 The Committee on Judiciary respectfully reports that it has had under consideration
12 HB 1095 which was tabled.

13 Respectfully submitted,
14 Brian G. Gosch, Chair

15 **MESSAGES FROM THE SENATE**

16 MR. SPEAKER:

17 I have the honor to return herewith HB 1022, 1036, 1040, and 1044 which have passed the
18 Senate without change.

19 Also MR. SPEAKER:

20 I have the honor to transmit herewith SB 23, 45, 48, 55, 61, 67, 68, 69, 70, 72, 86, and 88
21 which have passed the Senate and your favorable consideration is respectfully requested.

22 Respectfully,
23 Jeannette Schipper, Secretary

1 **CONSIDERATION OF REPORTS OF COMMITTEES**

2 Rep. Lust moved that the reports of the Standing Committees on
3 Agriculture and Natural Resources on HB 1017 as found on page 164 of the House Journal;
4 also
5 Transportation on HB 1118 as found on page 165 of the House Journal; also
6 Appropriations on HB 1014 as found on page 165 of the House Journal; also
7 Local Government on HB 1082 as found on page 167 of the House Journal be adopted.
8 Which motion prevailed.

9 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

10 HB 1186 Introduced by: Representatives Russell, Campbell, Kaiser, Kopp, May, Nelson,
11 Steele, and Verchio and Senators Adelstein, Begalka, and Jensen

12 FOR AN ACT ENTITLED, An Act to remove a requirement that certain documents
13 presented for driver licensing purposes be copied and retained.

14 Was read the first time and referred to the Committee on State Affairs.

15 HB 1187 Introduced by: Representatives Heinert, Craig, Erickson, Haggar (Jenna), Hawks,
16 Hoffman, May, Olson (Betty), Otten (Herman), Schaefer, Schoenfish, Tyler, and Werner and
17 Senators Sutton, Bradford, Ewing, Frerichs, Krebs, Omdahl, and Rhoden

18 FOR AN ACT ENTITLED, An Act to provide alternative brand inspection procedures for
19 certain rodeo livestock.

20 Was read the first time and referred to the Committee on Agriculture and Natural
21 Resources.

22 HB 1188 Introduced by: Representatives Hunhoff (Bernie), Bartling, Feinstein, Gibson,
23 Johns, Miller, Parsley, Ring, Soli, Steele, Tyler, and Wismer and Senators Tieszen, Begalka,
24 Bradford, Johnston, Kirkeby, Krebs, Lucas, and Maher

25 FOR AN ACT ENTITLED, An Act to provide for the ascertainment of whether a mentally
26 ill person is dangerous and, if so, to rescind his or her right to bear arms, and to provide
27 penalties for violation thereof.

1 Was read the first time and referred to the Committee on Health and Human Services.

2 HB 1189 Introduced by: Representatives Tulson, Bartling, Cronin, Ecklund, Erickson,
3 Feickert, Hawley, Hoffman, Stalzer, Tyler, Werner, and Wismer and Senators Begalka, Frerichs,
4 Jones, Rhoden, and White

5 FOR AN ACT ENTITLED, An Act to permit counties and townships to levy a capital
6 improvement property tax for highways, secondary roads, bridges, and culverts.

7 Was read the first time and referred to the Committee on Taxation.

8 HB 1190 Introduced by: Representatives Stalzer, Bolin, Cammack, Campbell, Craig,
9 Ecklund, Greenfield, Haggar (Jenna), Hansen, Heinemann (Leslie), Hickey, Kopp, Miller,
10 Nelson, Novstrup (David), Olson (Betty), Qualm, Russell, Solum, Steele, Tulson, Verchio, and
11 Wink and Senators Rhoden, Adelstein, Begalka, Brown, Maher, Monroe, Otten (Ernie),
12 Rampelberg, and Rave

13 FOR AN ACT ENTITLED, An Act to prohibit the State of South Dakota and its political
14 subdivisions from adopting and developing United Nations sponsored environmental and
15 developmental policies that would infringe or restrict the private property rights of the owners
16 of private property.

17 Was read the first time and referred to the Committee on State Affairs.

18 HB 1191 Introduced by: Representatives Dryden, Bolin, Conzet, Craig, Cronin, Duvall,
19 Feinstein, Greenfield, Haggar (Don), Haggar (Jenna), Hansen, Hawley, Hickey, Hoffman,
20 Hunhoff (Bernie), Johns, Kopp, Magstadt, Munsterman, Novstrup (David), Olson (Betty),
21 Romkema, Rounds, Rozum, Schaefer, Sly, Solum, Steele, Stevens, Tulson, Verchio, Werner,
22 and Wick and Senators Kirkeby, Begalka, Brown, Heineman (Phyllis), Jensen, Jones, Novstrup
23 (Al), Rampelberg, Rave, Van Gerpen, and White

24 FOR AN ACT ENTITLED, An Act to provide for the issuance of additional retail
25 fireworks licenses.

26 Was read the first time and referred to the Committee on Commerce and Energy.

27 HB 1192 Introduced by: Representatives Johns, Duvall, Feinstein, Hoffman, Lust, Rounds,
28 Russell, and Stevens and Senators Hunhoff (Jean), Lucas, and Tieszen

29 FOR AN ACT ENTITLED, An Act to provide a durable power of attorney form for health
30 care decisions.

31 Was read the first time and referred to the Committee on Judiciary.

1 HB 1193 Introduced by: Representative Wismer and Senators Adelstein and Jones

2 FOR AN ACT ENTITLED, An Act to increase the rate of taxation for the sales and use
3 tax.

4 Was read the first time and referred to the Committee on Taxation.

5 HB 1194 Introduced by: Representatives Stalzer, Craig, Erickson, Greenfield, Hansen,
6 Heinemann (Leslie), Kopp, Miller, Munsterman, Nelson, Qualm, Rounds, Schoenfish, Steele,
7 Tulson, and Verchio and Senators Lederman, Jensen, and Otten (Ernie)

8 FOR AN ACT ENTITLED, An Act to revise the period during which fireworks may be
9 discharged.

10 Was read the first time and referred to the Committee on Commerce and Energy.

11 HB 1195 Introduced by: Representatives Stalzer, Campbell, Craig, Erickson, Greenfield,
12 Heinemann (Leslie), Kopp, Miller, Munsterman, Nelson, Qualm, Schoenfish, Sly, Steele,
13 Tulson, and Verchio and Senators Omdahl, Krebs, Lederman, and Otten (Ernie)

14 FOR AN ACT ENTITLED, An Act to restrict the use of fireworks leaving debris on
15 private property.

16 Was read the first time and referred to the Committee on Commerce and Energy.

17 HB 1196 Introduced by: Representatives Werner, Cronin, Hunhoff (Bernie), Munsterman,
18 Parsley, and Verchio and Senators Frerichs, Brown, Olson (Russell), and Sutton

19 FOR AN ACT ENTITLED, An Act to establish the rural economic development
20 partnership program and to make an appropriation therefor.

21 Was read the first time and referred to the Committee on State Affairs.

22 HB 1197 Introduced by: Representatives Feinstein, Hickey, Hunhoff (Bernie), Nelson,
23 Peterson, and Wick and Senators Maher, Jones, and Welke

24 FOR AN ACT ENTITLED, An Act to provide for historical motor vehicle license plates
25 and special personalized historical vehicle license plates for certain motor vehicles.

26 Was read the first time and referred to the Committee on Transportation.

1 HB 1198 Introduced by: Representatives Hawks, Conzet, Hunhoff (Bernie), Munsterman,
2 Rasmussen, and Stevens and Senators Olson (Russell), Hunhoff (Jean), and Sutton

3 FOR AN ACT ENTITLED, An Act to allow certain opportunity scholarship recipients who
4 graduate early to use the remainder of their scholarship award for graduate studies.

5 Was read the first time and referred to the Committee on Education.

6 HB 1199 Introduced by: Representatives Russell, Campbell, Kaiser, Kopp, May, Nelson,
7 Steele, and Verchio and Senators Jensen and Begalka

8 FOR AN ACT ENTITLED, An Act to prohibit the sharing of patient records in a health
9 information exchange by the state without written authorization from the patient.

10 Was read the first time and referred to the Committee on Health and Human Services.

11 HB 1200 Introduced by: Representative Russell and Senator Jensen

12 FOR AN ACT ENTITLED, An Act to require a school board to conduct a public hearing
13 on certain proposals which will obligate the school district for future payments.

14 Was read the first time and referred to the Committee on Education.

15 HB 1201 Introduced by: Representatives Bartling, Hawley, Hunhoff (Bernie), and Wismer
16 and Senators Lucas, Frerichs, Kirkeby, Maher, Sutton, and Van Gerpen

17 FOR AN ACT ENTITLED, An Act to compensate school districts for recent funding
18 shortfalls by increasing the per student allocation in the state aid to general education formula
19 over the next three years.

20 Was read the first time and referred to the Committee on State Affairs.

21 HB 1202 Introduced by: Representatives Bartling, Hawley, Hunhoff (Bernie), and Wismer
22 and Senators Lucas, Frerichs, Kirkeby, Maher, Sutton, and Van Gerpen

23 FOR AN ACT ENTITLED, An Act to revise the index factor in the state aid to general
24 education formula.

25 Was read the first time and referred to the Committee on State Affairs.

1 HJR 1001 Introduced by: Representatives Gibson, Bartling, Feinstein, Hawks, Hawley,
2 Hunhoff (Bernie), Magstadt, Nelson, Parsley, Peterson, and Wismer and Senators Welke,
3 Bradford, Frerichs, Jones, Lucas, and Sutton

4 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general
5 election an amendment to Article III, section 5 of the Constitution of the State of South Dakota,
6 relating to legislative redistricting.

7 Was read the first time and referred to the Committee on State Affairs.

8 HJR 1002 Introduced by: Representatives Feinstein, Gibson, and Werner and Senators
9 Tidemann and Vehle

10 A JOINT RESOLUTION, Proposing and submitting to the electors at the next general
11 election an amendment to Article III, section 6 of the Constitution of the State of South Dakota,
12 relating to four-year legislative terms and term limits.

13 Was read the first time and referred to the Committee on State Affairs.

14 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

15 SB 23: FOR AN ACT ENTITLED, An Act to revise certain provisions pertaining to the
16 Certification Board for Alcohol and Drug Professionals and to increase certain fees.

17 Was read the first time and referred to the Committee on Health and Human Services.

18 SB 45: FOR AN ACT ENTITLED, An Act to permit certain persons to renew an operator's
19 license, a motorcycle operator's license, or nondriver identification card without appearing in
20 person at a driver license exam site.

21 Was read the first time and referred to the Committee on Transportation.

22 SB 48: FOR AN ACT ENTITLED, An Act to authorize the Transportation Commission
23 to establish rules governing the allowance, placement, and maintenance of newspaper vending
24 machines at interstate rest areas.

25 Was read the first time and referred to the Committee on Transportation.

26 SB 55: FOR AN ACT ENTITLED, An Act to make certain form and style changes
27 regarding the bank franchise tax.

28 Was read the first time and referred to the Committee on State Affairs.

1 SB 61: FOR AN ACT ENTITLED, An Act to allow licensed insurance agents to act as
2 consultants in certain circumstances.

3 Was read the first time and referred to the Committee on Commerce and Energy.

4 SB 67: FOR AN ACT ENTITLED, An Act to revise the requirements for health
5 maintenance organizations.

6 Was read the first time and referred to the Committee on Commerce and Energy.

7 SB 68: FOR AN ACT ENTITLED, An Act to revise the controlled substance schedule and
8 to declare an emergency.

9 Was read the first time and referred to the Committee on Health and Human Services.

10 SB 69: FOR AN ACT ENTITLED, An Act to revise certain provisions of the health
11 professionals diversion program.

12 Was read the first time and referred to the Committee on Health and Human Services.

13 SB 70: FOR AN ACT ENTITLED, An Act to improve public safety.

14 Was read the first time and referred to the Committee on Judiciary.

15 SB 72: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning
16 inspections of food service establishments by the Department of Health.

17 Was read the first time and referred to the Committee on Health and Human Services.

18 SB 86: FOR AN ACT ENTITLED, An Act to increase the minimum salary payable to
19 county officials, state's attorneys, and sheriffs.

20 Was read the first time and referred to the Committee on Local Government.

21 SB 88: FOR AN ACT ENTITLED, An Act to authorize the county to deny bids on county
22 sales of tax deed properties if the bidder is not current on property taxes due.

23 Was read the first time and referred to the Committee on Local Government.

1 **SECOND READING OF CONSENT CALENDAR ITEMS**

2 HB 1028: FOR AN ACT ENTITLED, An Act to repeal the requirement that a minor be
3 accompanied by an adult while hunting mourning doves.

4 Was read the second time.

5 The question being "Shall HB 1028 pass?"

6 And the roll being called:

7 Yeas 70, Nays 0, Excused 0, Absent 0

8 Yeas:

9 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
10 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
11 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
12 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
13 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;
14 Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
15 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
16 Wick; Wink; Wismer; Speaker Gosch

17 So the bill having received an affirmative vote of a majority of the members-elect, the
18 Speaker declared the bill passed and the title was agreed to.

19 HB 1117: FOR AN ACT ENTITLED, An Act to revise the definition of a temporary
20 special events lot for the purposes of vehicle dealer licensing.

21 Was read the second time.

22 The question being "Shall HB 1117 pass?"

23 And the roll being called:

24 Yeas 70, Nays 0, Excused 0, Absent 0

25 Yeas:

26 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
27 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
28 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
29 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
30 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;
31 Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
32 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
33 Wick; Wink; Wismer; Speaker Gosch

1 So the bill having received an affirmative vote of a majority of the members-elect, the
2 Speaker declared the bill passed and the title was agreed to.

3 HB 1086: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the
4 publication of certain records by cooperatives.

5 Was read the second time.

6 The question being "Shall HB 1086 pass?"

7 And the roll being called:

8 Yeas 70, Nays 0, Excused 0, Absent 0

9 Yeas:

10 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
11 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
12 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
13 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
14 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;
15 Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
16 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
17 Wick; Wink; Wismer; Speaker Gosch

18 So the bill having received an affirmative vote of a majority of the members-elect, the
19 Speaker declared the bill passed and the title was agreed to.

20 SB 54: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
21 references to the Internal Revenue Code.

22 Was read the second time.

23 The question being "Shall SB 54 pass?"

24 And the roll being called:

25 Yeas 70, Nays 0, Excused 0, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
4 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
5 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
6 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;
7 Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
9 Wick; Wink; Wismer; Speaker Gosch

10 So the bill having received an affirmative vote of a majority of the members-elect, the
11 Speaker declared the bill passed and the title was agreed to.

12 SB 46: FOR AN ACT ENTITLED, An Act to repeal certain outdated statutes and cross
13 references related to the Department of Health.

14 Was read the second time.

15 The question being "Shall SB 46 pass?"

16 And the roll being called:

17 Yeas 70, Nays 0, Excused 0, Absent 0

18 Yeas:

19 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
20 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
21 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
22 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
23 Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley;
24 Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
25 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
26 Wick; Wink; Wismer; Speaker Gosch

27 So the bill having received an affirmative vote of a majority of the members-elect, the
28 Speaker declared the bill passed and the title was agreed to.

29 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

30 HB 1075: FOR AN ACT ENTITLED, An Act to revise the membership of the Legislative
31 Planning Committee.

32 Was read the second time.

1 The question being "Shall HB 1075 pass as amended?"

2 And the roll being called:

3 Yeas 68, Nays 2, Excused 0, Absent 0

4 Yeas:

5 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
6 Ecklund; Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen;
7 Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns;
8 Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;
9 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
10 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly;
11 Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink;
12 Wismer; Speaker Gosch

13 Nays:

14 Greenfield; Russell

15 So the bill having received an affirmative vote of a majority of the members-elect, the
16 Speaker declared the bill passed and the title was agreed to.

17 HB 1108: FOR AN ACT ENTITLED, An Act to expand the application of certain open
18 meetings provisions to certain committees of public boards.

19 Was read the second time.

20 Rep. Lust moved that HB 1108 be placed to follow HB 1069 on today's calendar.

21 Which motion prevailed.

22 HB 1091: FOR AN ACT ENTITLED, An Act to establish certain provisions regarding the
23 labeling of motor fuel at a retail fuel pump.

24 Was read the second time.

25 The question being "Shall HB 1091 pass as amended?"

26 And the roll being called:

27 Yeas 64, Nays 6, Excused 0, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen;
4 Hawks; Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser;
5 Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman;
6 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Solum;
8 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Speaker Gosch

9 Nays:

10 Feinstein; Gibson; Heinert; Schrempp; Soli; Wismer

11 So the bill having received an affirmative vote of a majority of the members-elect, the
12 Speaker declared the bill passed and the title was agreed to.

13 HB 1090: FOR AN ACT ENTITLED, An Act to exempt certain amateur sports coaches
14 from sales tax.

15 Was read the second time.

16 1090fb

17 Rep. Rozum moved that HB 1090 be amended as follows:

18 On page 1, line 6, of the printed bill, after "." insert "For the purposes of this section, the
19 term, amateur sporting event, means a competitive physical activity.".

20 Which motion prevailed.

21 The question being "Shall HB 1090 pass as amended?"

22 And the roll being called:

23 Yeas 53, Nays 17, Excused 0, Absent 0

24 Yeas:

25 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Duvall; Ecklund;
26 Feickert; Gibson; Greenfield; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman;
27 Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Magstadt; May; Miller;
28 Munsterman; Nelson; Novstrup (David); Olson (Betty); Parsley; Peterson; Qualm; Rasmussen;
29 Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;
30 Stalzer; Stevens; Tulson; Tyler; Westra; Wismer

1 Nays:

2 Dryden; Erickson; Feinstein; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Latterell; Lust;
3 Mickelson; Otten (Herman); Steele; Verchio; Werner; Wick; Wink; Speaker Gosch

4 So the bill having received an affirmative vote of a majority of the members-elect, the
5 Speaker declared the bill passed and the title was agreed to.

6 HB 1033: FOR AN ACT ENTITLED, An Act to authorize the Department of Social
7 Services to dismantle, demolish, preserve, or rehabilitate buildings on the Human Services
8 Center campus in Yankton, South Dakota, to make an appropriation therefor, and to declare an
9 emergency.

10 Was read the second time.

11 The question being "Shall HB 1033 pass?"

12 And the roll being called:

13 Yeas 64, Nays 6, Excused 0, Absent 0

14 Yeas:

15 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
16 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
17 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hoffman; Hunhoff (Bernie);
18 Johns; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman;
19 Novstrup (David); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema;
20 Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens;
21 Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

22 Nays:

23 Hickey; Kaiser; May; Nelson; Olson (Betty); Russell

24 So the bill having received an affirmative vote of a two-thirds majority of the members-
25 elect, the Speaker declared the bill passed and the title was agreed to.

26 HB 1038: FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse
27 certain family physicians, dentists, and physician assistants who have complied with the
28 requirements of the recruitment assistance program.

29 Was read the second time.

30 The question being "Shall HB 1038 pass?"

31 And the roll being called:

32 Yeas 69, Nays 1, Excused 0, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
4 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
5 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
6 Miller; Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
7 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
8 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
9 Wick; Wink; Wismer; Speaker Gosch

10 Nays:

11 Nelson

12 So the bill having received an affirmative vote of a two-thirds majority of the members-
13 elect, the Speaker declared the bill passed and the title was agreed to.

14 HB 1050: FOR AN ACT ENTITLED, An Act to make an appropriation for costs related
15 to the suppression of mountain pine beetles, to establish a cost share program with the counties
16 in the state, and to declare an emergency.

17 Was read the second time.

18 The question being "Shall HB 1050 pass?"

19 And the roll being called:

20 Yeas 69, Nays 1, Excused 0, Absent 0

21 Yeas:

22 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
23 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
24 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff
25 (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson;
26 Miller; Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
27 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;
28 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
29 Wick; Wink; Wismer; Speaker Gosch

30 Nays:

31 Nelson

32 So the bill having received an affirmative vote of a two-thirds majority of the members-
33 elect, the Speaker declared the bill passed and the title was agreed to.

1 HB 1069: FOR AN ACT ENTITLED, An Act to increase the administrative assessment
2 fee for the guarantee fund.

3 Was read the second time.

4 The question being "Shall HB 1069 pass?"

5 And the roll being called:

6 Yeas 65, Nays 5, Excused 0, Absent 0

7 Yeas:

8 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
9 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);
10 Hajek; Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hunhoff (Bernie);
11 Johns; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;
12 Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
13 Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli;
14 Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Werner; Westra; Wick; Wink; Wismer; Speaker
15 Gosch

16 Nays:

17 Hoffman; Kaiser; Nelson; Russell; Verchio

18 So the bill having received an affirmative vote of a two-thirds majority of the members-
19 elect, the Speaker declared the bill passed and the title was agreed to.

20 HB 1108: FOR AN ACT ENTITLED, An Act to expand the application of certain open
21 meetings provisions to certain committees of public boards.

22 Having had its second reading was up for consideration and final passage.

23 Rep. Lust moved that HB 1108 be deferred to Monday, January 28, the 13th legislative day.

24 Which motion prevailed.

25 SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

26 Rep. Lust moved that SB 37 and 26 be deferred to Monday, January 28, the 13th legislative
27 day.

28 Which motion prevailed.

2 REPORTS OF STANDING COMMITTEES

7 Respectfully submitted,
8 Brian G. Gosch, Chair

9 **SIGNING OF BILLS**

22 Arlene Kvislen, Chief Clerk